

MESSAGE NO: 4188303 MESSAGE DATE: 07/07/2014

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: COR-Correction

FR CITE: 79 FR 30809 FR CITE DATE: 05/29/2014

REFERENCE 4174302
MESSAGE #
(s):

CASE #(s): A-570-983

EFFECTIVE DATE: 05/29/2014 COURT CASE #:

PERIOD OF REVIEW: 10/04/2012 TO 03/31/2014

PERIOD COVERED: TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Correction of message 4174302, dated 06/23/2014 concerning the antidumping duty order on drawn stainless steel sinks from the People's Republic of China (A-570-983)

1. This is a correction to message 4174302, dated 06/23/2014, to add a paragraph instructing CBP to continue to suspend entries of certain products that are subject to an on-going formal scope inquiry. Below is the fully corrected message.
2. Commerce does not automatically conduct administrative reviews of antidumping duty orders. Instead, reviews must be requested pursuant to section 751(a)(1) of the Tariff Act of 1930, as amended, and in accordance with 19 CFR 351.213.
3. Commerce has not received a request for an administrative review of the antidumping duty order for the period and on the merchandise identified below except for the firms listed in paragraph 4. Therefore, except if paragraph 5 is applicable, in accordance with 19 CFR 351.212(c), you are to liquidate all entries for all firms except those listed in paragraph 4 and assess antidumping duties on merchandise entered, or withdrawn from warehouse, for consumption at the cash deposit or bonding rate in effect on the date of entry.
4. Entries of merchandise of the firms listed below should not be liquidated until specific instructions are issued. Continue to suspend liquidation of all entries of merchandise exported by the listed firms entered, or withdrawn from warehouse, for consumption during the period 10/04/2012 through 03/31/2014.

Company: Foshan Zhaoshun Trade Co., Ltd.

Case number: A-570-983-001

Company: Zhonshan Superte Kitchenware Co., Ltd.

Case number: A-570-983-001

Company: Guangdong Dongyuan Kitchenware Industrial Co., Ltd.

Case number: A-570-983-002

Company: Feidong Import & Export Co., Ltd.

Case number: A-570-983-006

Company: Guangdong Yingao Kitchen Utensils Co., Ltd.

Case number: A-570-983-011

Company: Zhongshan Newecan Enterprise Development Corporation Limited

Case number: A-570-983-019

Company: Foshan Success Imp. & Exp. Co., Ltd.

Case number: A-570-983-022

Company: Guangdong New Shichu Import and Export Corporation Limited

Case number: No case number was in place for this company during the period of review. Entries may have been made under A-570-983-000.

Company: Shunde Native Produce Import and Export Co., Ltd. of Guangdong

Case Number: No case number was in place for this company during the period of review.

Entries may have been made under A-570-983-000.

Company: Yuyao Afa Kitchenware Co., Ltd.

Case number: No case number was in place for this company during the period of review. Entries may have been made under A-570-983-000.

Company: Zhongshan Silk Imp. & Exp. Group Co., Ltd. of Guangdong

Case number: No case number was in place for this company during the period of review. Entries may have been made under A-570-983-000.

CBP officers must also examine entries under A-570-983-000 and all existing company-specific case numbers to ensure the continued suspension of liquidation of entries during the applicable period of review for the exporters listed above.

5. On 02/19/2014, pursuant to 19 CFR 351.225(e), Commerce initiated a formal scope inquiry to determine whether industrial bowls used as parts of safety products imported by Speakman Company are outside the scope of the antidumping duty order on drawn stainless steel sinks from the People's Republic of China. Continue to suspend liquidation of entries of Speakman Company's imports of industrial bowls used as parts for safety products, pending the final outcome of the ongoing scope inquiry. Upon completion of the scope inquiry, Commerce will issue separate

liquidation instructions based on the final outcome of the scope inquiry.

6. There are no injunctions applicable to the entries covered by this instruction.

7. Notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 3 occurred with the publication of the notice of initiation of administrative review for the 04/2014 anniversary month (79 FR 30809, 05/29/2014). Unless instructed otherwise, for all other shipments of drawn stainless steel sinks from the People's Republic of China you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.

8. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

9. Upon assessment of antidumping duties, CBP shall require that the importer provide a reimbursement statement, as described in section 351.402(f)(2) of Commerce's regulations. The importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the producer, seller, or exporter, to be reimbursed antidumping and/or countervailing duties, CBP shall double the antidumping duties and/or increase the antidumping duty by the amount of the countervailing duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.

10. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OIII:EB.)

11. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party